

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 04-CR-80300-2
HON. GEORGE CARAM STEEH

DEMETRIUS HASSAN TRAYLOR,

Defendant.

_____ /

ORDER DENYING DEFENDANT'S MOTION FOR EXPUNGEMENT (# 29)

Defendant Demetrius Hassan Traylor moves to expunge his February 11, 2005 conviction of one count of bank larceny, aiding and abetting in violation of 18 U.S.C. § 2113(b); 18 U.S.C. § 2. Oral argument would not significantly aid the decisional process. Pursuant to E.D. Mich. Local R. 7.1(e)(2), it is ORDERED that the motion be resolved without oral argument.

It has been the law of the Sixth Circuit that federal courts enjoy inherent power to expunge criminal records in appropriate cases. See United States v. Doe, 556 F.2d 391, 393 (6th Cir. 1977) and United States v. Carey, 612 F.3d 871, 875-76 (6th Cir. 2010). Such cases emphasize that expungement is only warranted under extraordinary circumstances. Id. More recently, however, the courts in this circuit have called their jurisdiction to grant expungement of criminal records into question. See United States v. Lucido, 612 F.3d 871, 873-75 (6th Cir. 2010); United States v. Childs, 2011 WL 768068 (E.D. Mich. 2011).

Whether this court has jurisdiction to grant the expungement requested by defendant need not be decided however, because defendant has not shown any extraordinary

circumstances that would support a grant of expungement in his case. While the court sympathizes with defendant's concerns regarding job limitations due to his felony conviction, and his genuine desire to move beyond his past mistakes in order to help others, he has not shown his situation to vary in any relevant way from anybody else with a felony criminal record.

Accordingly, defendant Traylor's motion for an expungement of his conviction is hereby DENIED.

SO ORDERED.

Dated: March 21, 2012

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record and also to Demetrius Traylor at 3048 Wolverine, Ann Arbor, MI 48108, on March 21, 2012, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk